

JFW

P-1

PTO/SB/21 (11-07)

Approved for use through 11/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(To be used for all correspondence after initial filing.)

Total Number of Pages in This Submission

Application Number

10/708,671

Filing Date

November 11, 2003

First Named Inventor

Morgenstern, John M.

Art Unit

3644

Examiner Name

Dinh, Tien Quang

RECEIVED

CENTRAL FAX CENTER

NOV 26 2007

Attorney Docket Number

SAI.P015 US

## ENCLOSURES (Check all that apply)

Fee Transmittal Form  
 Fee Attached

Amendment/Reply  
 After Final  
 Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete Application  
 Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_  
 Landscape Table on CD

Remarks

 After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below):

-Notification of Loss of Entitlement to Small Entity Status and Payment of Additional Fee Due

-Credit Card Charge Form

RECEIVED

NOV 30 2007

OFFICE OF PETITIONS

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Koestner Bertani LLP

Signature /Mary Jo Bertani/

Printed name Mary Jo Bertani

Date November 24, 2007 Reg. No. 42321

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being electronically transmitted to the USPTO on the date shown below:

Signature /Mary Jo Bertani/

Typed or printed name Mary Jo Bertani

Date 11/24/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

NOV 26 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

NOV 30 2007

OFFICE OF PETITIONS

Applicant(s): John M. Morgenstern

Assignee: Supersonic Aerospace International, LLC

Title: A WING EMPLOYING LEADING EDGE FLAPS AND WINGLETS TO  
ACHIEVE IMPROVED AERODYNAMIC PERFORMANCE

Serial No.: 10/706,671 Filing Date: November 11, 2003

Examiner: Dinh, Tien Quang Group Art Unit: 3644

Docket No.: SAI.P015 US Confirmation No.: 8312

Irvine, California  
November 24, 2007COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY  
STATUS AND PAYMENT OF ADDITIONAL FEE DUE

Dear Sir:

On November 11, 2003, Applicant, through its attorney, paid the filing fee and excess claim of \$567.00 for serial number 10/706,671. Applicant mistakenly paid the filing fee and excess claim fee amounts for a small entity instead of a large entity. Applicant hereby notifies the PTO that it is no longer entitled to status as a small entity, and that the claim for small entity status is hereby withdrawn. The erroneous claim to small entity status was made in good faith, without any intent whatsoever to deceive or commit fraud on the Patent Office.

KOESTNER BERTANI LLP  
18562 MACARTHUR BLVD.  
SUITE 400  
IRVINE, CA 92612  
TEL (714) 251-0250  
FAX (714) 251-0260

11/26/2007 DALLEN 00000016 10706671

01 FC:1461

1262.00 OP

-1-

Serial No. 10/706,671

RECEIVED  
CENTRAL FAX CENTER

P. 3

NOV 26 2007

The following is an itemization of the deficiency payment:

Type of Fee /Date Paid	Number of Claims	Current Large Entity Fee	(A) Total Large Entity Fee Owed	(B) Small Entity Fee Actually Paid	Deficiency (A - B)
Basic Filing Fee 11/11/2003	n/a	310.00	310.00	385.00	(\$ 75.00)
Search Fee	n/a	510.00	510.00	0.00	\$ 510.00
Examination Fee	n/a	210.00	210.00	0.00	\$ 210.00
Claims over 20 07/14/2003	11	50.00	550.00	133.00	\$ 417.00
Independent Claims over 3 07/14/2003	1	200.00	200.00		200.00
<b>TOTAL</b>					<b>\$ 1262.00</b>

Applicant hereby respectfully requests that the PTO accept the deficiency payment of \$1062.00 that is due in relation to the filing fees and excess claim fees that was filed for application serial no. 10/706,671, and which inadvertently claimed the benefit of small entity status. The United States Patent and Trademark Office is hereby authorized to charge \$1062.00 to the credit card listed on the enclosed Credit Card Charge Form. The Commissioner is hereby authorized to charge any deficiency in the amount due or credit any overpayment to Deposit Account No. 50-2240.

The undersigned registered patent attorney represents that he is authorized to act in a representative capacity for the above-identified applicant(s).

I hereby certify that this correspondence is being transmitted to the USPTO via EFS on the date shown below:

/Mary Jo Bertani/  
(Signature)

Mary Jo Bertani  
(Printed Name of Person Signing Certificate)

November 24, 2007  
(Date)

Respectfully submitted,

/Mary Jo Bertani/

Mary Jo Bertani  
Attorney for Applicant(s)  
Reg. No. 42,321

RECEIVED

NOV 30 2007

OFFICE OF PETITIONS

KOESTNER BERTANI LLP  
18562 MACARTHUR BLVD.  
SUITE 400  
IRVINE, CA 92612  
TEL (949) 251-0120  
FAX (949) 251-0260